

SCRUTINY BOARD (HOUSING AND REGENERATION)

TUESDAY, 29TH JANUARY, 2013

PRESENT: Councillor J Procter in the Chair

Councillors B Atha, D Collins, J Cummins,
P Grahame, M Iqbal, S Lay, V Morgan,
D Nagle, C Towler and G Wilkinson

81 Chair' Opening Remarks

The Chair welcomed everyone to the January meeting of the Scrutiny Board (Housing and Regeneration).

82 Declaration of Disclosable Pecuniary and Other Interests

There were no disclosable pecuniary and other interests declared at the meeting.

83 Apologies for Absence

An apology for absence was received on behalf of Mr G Hall, Co-opted Member.

84 Minutes of the Previous Meeting

RESOLVED – That the minutes of the meeting held on 18th December 2012 be confirmed as a correct record.

85 Matters Arising from the Minutes

a) Brownfield Sites (Minute 75 a) refers)

The Acting Deputy Chief Executive and Director of Resources, Mr Alan Gay, together with Mr David Almond, Head of Human Resources attended for this item to update Members following the Scrutiny Board's recommendation that all officers owning development land or prospective development land in the City of Leeds or shares in companies involved in its development of such land should be required to register their interests in a register held by the Chief Executive's Office which was open to the public on demand.

The Acting Deputy Chief Executive and Director of Resources briefly outlined the current protocol in relation to high risk posts within the authority and commented on recent guidance obtained from the Information Commissioner, and legal services on officer declarations of interest. It was noted that he had asked Internal Audit to undertake specific work on this matter in the Planning Unit.

In summary, specific reference was made to a number of issues including:-

- The previous involvement of Scrutiny Board (Resources and Council Services) in this area

- The need for this register to be in the public domain in order to be open and transparent
- The view that the Information Commissioner should be asked to provide a definitive response to the concerns expressed by Members on this subject
- Clarification if departments held a list of high risk posts and the monitoring role of Directors and Human Resources in this regard
- Clarification of the sanctions that could be imposed if a high risk officer failed to declare an interest
- Clarification as to whether the Council had explored and learned lessons from Doncaster Council on this issue
- The view that the findings by Internal Audit following their investigation of the Planning Unit be presented to the Scrutiny Board

The Acting Deputy Chief Executive and Director of Resources responded to the various issues raised by the Board. He referred to data protection issues in relation to publishing the register and agreed to prepare a report to the Corporate Leadership Team which set out the following:-

- How the authority intends to make arrangements for Members to be able to inspect the register of officer interests where they had a legitimate need
- What arrangements the authority needs to put in place to make public the interests of those officers who have relevant interests relating to their decision making or advisory roles in the Council
- How the authority could gain greater assurances that officers were declaring interests in accordance with the Council's Officer Code of Conduct and that Directors were continuing to review, monitor and take appropriate action as the need arises

RESOLVED -That the report of Internal Audit on its findings within the Planning Unit on officer declarations be presented to the Board when completed and that this incorporate any lessons learned from issues which arose at Doncaster Council.

86 Review of the ALMO Management Arrangements - Consultation

The Head of Scrutiny and Member Development submitted a report on the consultation arrangements in relation to the review of the ALMO Management arrangements.

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- Review of the ALMO Management Agreements – Report of Assistant Chief Executive (Customer Access and Performance) – Executive Board – 9th January 2013
- Housing Management/ALMO Review summary of stakeholder feedback

- Review of ALMOs – Terms of Reference

The following representatives were in attendance and responded to Members' queries and comments:-

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Mr James Rogers, Assistant Chief Executive (Customer Access and Performance)
- Mr Martyn Long, Policy Manager, Customer Access and Performance

At the request of the Chair, Mr J Rogers briefly outlined the background issues and the two options agreed by Executive Board at their meeting on 9th January 2013 to be taken forward to the next stage of consultation.

In summary, specific reference was made to a number of issues including:-

- Clarification of the relationship between the ALMO and the Council
- The significant savings that would be made as a result of the review
- The concerns expressed that Elected Members had not received a copy of the consultation document issued to tenants
- A view that those Members not on an ALMO Board or Area Panel were currently less well informed than those that were and that this needed to be considered as part of the review
- The need for tenants on the Board to declare their interests in an open and transparent way
- Clarification of the ALMO process ten years ago and examples of the areas where improvements had been made
- The need to ensure that the work being carried as a consequence of Welfare Reform was not affected by the ALMO management review

In concluding discussions, the Executive Member, Neighbourhoods, Planning and Support Service commented on the work to be done in relation to the ongoing review. It was noted that a further report on the review arrangements would be presented to the Executive Board in May 2013 with an anticipated implementation date of March 2014. It was further noted that the work on Welfare Reform would be discussed at all ALMO Boards, together with an input at Area Committees.

RESOLVED – That the contents of the report and appendices be noted.

(Councillor M Iqbal joined the meeting at 10.40am during discussions of the above item)

87 Good Practice Guide to Pre Application Engagement

Referring to Minute 62 of the meeting held on 27th November 2012, the Director of City Development submitted a report on the final draft of the Good Practice Guide to Pre Application Engagement for consideration of the Scrutiny Board.

Appended to the report was a copy of a document entitled 'Pre Application Engagement – A guide to best practice' for the information/comment of the meeting.

The following representatives were in attendance and responded to Members' queries and comments:-

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Mr Phil Crabtree, Chief Planning Officer, City Development
- Ms Helen Cerroti, Development Programme Manager, City Development

In summary, Members expressed the view that the guide would encourage developers to engage with Members and the community at the pre application stage of a planning application whilst acknowledging that it was voluntary and could not be imposed on developers.

The Chief Planning Officer informed the meeting that the guide would next be considered by the Joint Plans Panel and then subsequently issued to all Members of Council.

The Chair referred to the flow chart to be followed in the pre-application process and to the following wording:-

'Officers could assist in organising meetings between developers and members to discuss the proposal and to scope the requirements for community engagement'.

He recommended to the Board that the word 'could' be changed to 'will' and the Board agreed.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That, subject to the above amendment, to recommend that approval be given to the Good Practice Guide to Pre Application Engagement in accordance with the report now submitted.
- c) That officers be thanked for their work in producing this guide.

88 Explanation of Section 106 Affordable Housing Bench Mark Prices

Referring to Minute 64 of the meeting held on 27th November 2012, the Director of City Development submitted a report responding to the request from Scrutiny Board (Housing and Regeneration) to provide a detailed explanation of how the price at which the affordable housing units (required as

part of a Section 106 (S106) agreement) are expected to be sold at to a Registered Provider (RP) is arrived at in Leeds.

Appended to the report was a copy of a document entitled 'Approach to affordable housing transfer prices by Local Authority' for the information/comment of the meeting.

The following representatives were in attendance and responded to Members' comments and queries:-

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Ms Maggie Gjessing, Housing Investment Manager, City Development
- Mr Robin Coghlan, Team Leader, City Development
- Ms Nasreen Yunis, Principal PFI Planner, City Development

At the request of the Chair, the Team Leader, City Development outlined the background issues and welcomed the Board's comments on the review process.

Members raised a number of issues and comments on the report and officers responded.

RESOLVED –That the contents of the report and appendices be noted.

89 Updated progress on predicting empty property trends

Referring to Minute 65 of the meeting held on 27th November 2012, the Head of Scrutiny and Member Development submitted a report updating the meeting on progress on predicting empty property trends.

Appended to the report was a copy of a document entitled 'Analysis of current housing market trends within the Leeds 6 postcode areas' prepared by the Director of Environment and Neighbourhoods for the information/comment of the meeting.

The following representatives were in attendance and responded to Members' queries and comments:

- Mr John Statham, Head of Housing Partnerships, Environment and Neighbourhoods
- Mr Mark Ireland, Service Manager, Environment and Neighbourhoods

A map was tabled showing the location of student populations in Leeds.

At the request of the Chair, the Head of Housing Partnerships provided the meeting with the background issues on predicting empty property trends.

In summary, specific reference was made to a number of issues including:-

- Clarification of the Council's current strategic policy concerning student accommodation in the city following the recent divisional plans panel decision to allow a change of use to a building in Greek Street for student accommodation
- Clarification on whether or not a charge could be imposed on landlords whose student housing accommodation remains empty
(*The Head of Housing Partnerships agreed to investigate this issue*)

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That this Board notes the progress made against recommendation 4 from the Safer, Stronger Communities Scrutiny report in to the Private Rented Sector (2012).
- c) That a further joint report with City Development (Planning) be submitted to the Board in April 2013 which covers the Council's policy with regards to student accommodation to include:
 - progress update on discussions with private landlords in Woodhouse/student areas as to how they see things regarding student accommodation and what they think the Council should be providing to support them
 - the Council's strategic plan for student accommodation and its view on the spread of student accommodation and whether the Council approach supports the views or not of the private landlords/businesses
 - the Plans Panel decision to approve student accommodation in Greek Street

90 Work Schedule

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board's work programme for the current municipal year.

Appended to the report was a copy of the following documents for the information/comment of the meeting:

- Scrutiny Board (Housing and Regeneration) Work Schedule for 2012/2013 Municipal Year (Appendix 1 refers)
- Executive Board – Minutes of a Meeting held on 9th January 2013 (Appendix 2 refers)
- Forward Plan of Key Decisions – 10th September 2012 – 10th January 2013 (Appendix 3 refers)

The Principal Scrutiny Adviser, Scrutiny Support presented the report and responded to Members' queries and comments.

RESOLVED -

- a) That the contents of the report and appendices be noted.

Minutes approved as a correct record at the meeting held on Tuesday, 26th February, 2013

- b) That the Executive Board minutes and Forward Plan be noted.
- c) That the work schedule be approved as now outlined.

91 Date and Time of Next Meeting

Tuesday 26th February 2013 at 10.00am in the Civic Hall, Leeds
(Pre-meeting for Board Members at 9.30am)

(The meeting concluded at 12.10pm)